

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, SEPTEMBER 12, 2016**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:00 p.m. on Monday, September 12, 2016, with Councillor Lewis presiding.

Councillor Jackson introduced Pastor James Jackson, Fervent Prayer Church, who led the opening prayer. Councillor Jackson then invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*25 PRESENT: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson*  
*0 ABSENT:*

A quorum of twenty-five members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Mascari recognized Larry Vaughn, candidate for School Board, District 4. Councillor Gray recognized Joe Kearns, Indianapolis Airport Authority. Councillor Adamson recognized AFSCME workers Michael Torres and George Cravey.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE  
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND  
MARION COUNTY, INDIANA

*Journal of the City-County Council*

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, September 12, 2016, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

August 16, 2016

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, August 19, 2016 a copy of a Notice of Public Hearing on Proposal Nos. 282 and 283, 2016, said hearing to be held on Monday, September 12, 2016, at 7:00 p.m. in the City-County Building and a copy of a Notice of Adoption of Declaratory Resolution and Public Hearing on Proposal No. 286, 2016 on Monday, August 29, 2016 at 5:30 p.m. in Room 260 of the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

August 24, 2016

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, August 29, 2016 a copy of a Notice of Public Hearing on Proposal No. 194, 2016, said hearing to be held on Thursday, September 8, 2016 at 5:30 p.m. in Room 260 of the City-County Building.

Respectfully,  
s/NaTrina DeBow  
Clerk of the City-County Council

August 26, 2016

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

GENERAL ORDINANCE NO. 44, 2016 – amends portions of the Code regarding the Wellfield Protection Secondary Zoning District to adopt new wellfield protection district maps submitted by Speedway and Lawrence water utilities

GENERAL ORDINANCE NO. 45, 2016 – amends Chapter 135 of the Code regarding non-reverting funds of the Indianapolis Metropolitan Police Department

GENERAL ORDINANCE NO. 46, 2016 – amends Sec. 135-751 of the Code to authorize funding for fiscal monitoring purposes

GENERAL RESOLUTION NO. 6, 2016 – approves the statement of benefits of Walker Information, Inc. and River Crossing Four, an applicant for tax abatement located in an economic revitalization area

GENERAL RESOLUTION NO. 7, 2016 – approves the designation of certain real property as a high technology district area and specifies that qualified property owned by salesforce.com is exempt from property taxation

SPECIAL RESOLUTION NO. 31, 2016 – recognizes Grassy Creek Elementary Robotics Team

September 12, 2016

SPECIAL RESOLUTION NO. 32, 2016 – recognizes Boy Scout Troop 1776 for their dedicated service to the community

SPECIAL RESOLUTION NO. 33, 2016 – recognizes Indy Eleven

SPECIAL RESOLUTION NO. 34, 2016 - reviews the 2017 estimated levy limits and tax credits of certain civil taxing units and adopts recommendations with respect to such estimated levy limits and tax credits

s/Joseph H. Hogsett, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of August 15, 2016. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 104, 2016. Councillor Oliver reported that the Parks and Recreation Committee heard Proposal No. 104, 2016 on March 17, April 14, July 21 and August 18, 2016. The proposal, sponsored by Councillor Oliver, reappoints Joshua Bowling to the Board of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McQuillen asked when the Parks Committee is scheduled to hear the Parks Budget. Councillor Oliver said that it is scheduled for their next meeting on September 29, 2016. Councillor McQuillen asked if they are then adding another meeting after that for the review and analysis. Councillor Oliver said that they are not and plan to both hear the budget and vote on it at that same meeting. Councillor Adamson said that the budget has been presented to the Board of Parks and Recreation, and the City website has archives of those meetings for committee members to watch online. Councillor Oliver said that this is correct, and he does not believe there is anything in the Code that prohibits them from hearing and voting on the budget on the same evening. Councillor Biesecker added that the reason it was not heard on August 18, as scheduled is because the Parks Board had not yet heard the budget. They had their hearing, which was a public hearing, a week later, and this meeting is available in Channel 16's archives. He added that there will be a public hearing for all budgets at the September 26<sup>th</sup> Council meeting, and the budgets themselves have been online for some time for review by the public.

Councillor Oliver moved, seconded by Councillor Gray, for adoption. Proposal No. 104, 2016 was adopted on the following roll call vote; viz:

*25 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson*

*0 NAYS:*

Proposal No. 104, 2016 was retitled COUNCIL RESOLUTION NO. 91, 2016, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 91, 2016

A COUNCIL RESOLUTION reappointing Joshua Bowling to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council reappoints:

Joshua Bowling

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2016. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 211, 2016. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 211, 2016 on August 17, 2016. The proposal, sponsored by Councillors McQuillen and Robinson, appoints Karla Lopez-Owens to the Citizens Police Complaint Board. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Robinson moved, seconded by Councillor McQuillen, for adoption. Proposal No. 211, 2016 was adopted on the following roll call vote; viz:

*25 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson*  
*0 NAYS:*

Proposal No. 211, 2016 was retitled COUNCIL RESOLUTION NO. 92, 2016, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 92, 2016

A COUNCIL RESOLUTION appointing Karla Lopez-Owens to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Karla Lopez-Owens

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2016. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 212, 2016. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 212, 2016 on August 24, 2016. The proposal, sponsored by Councillors McQuillen and Robinson, appoints John Wessler to the Citizens Police Complaint Board. By a vote of 8-0, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Sandlin asked if they have any other information on Mr. Wessler, such as whether he resides within Marion County. Mr. Robinson said that he does not have that information with him. NaTrina DeBow, Clerk of the Council, stated that this information was shared in committee.

Councillor Sandlin said that he wants to verify whether it is the Mr. Wesseler he knows. Councillor Robinson said that appointees go through a background check and their information was available to committee members and the paperwork indicated a residence in Marion County.

Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 212, 2016 was adopted on the following roll call vote; viz:

*24 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Scales, Simpson*  
*1 NAY: Sandlin*

Proposal No. 212, 2016 was retitled COUNCIL RESOLUTION NO. 93, 2016, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 93, 2016

A COUNCIL RESOLUTION appointing John Wesseler to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

John Wesseler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Simpson reported that the Administration and Finance Committee heard Proposal Nos. 280 and 281, 2016 on August 16, 2016. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 280, 2016. The proposal, sponsored by Councillor Lewis, reappoints Sue Tempero to the Equal Opportunity Advisory Board. PROPOSAL NO. 281, 2016. The proposal, sponsored by Councillor Lewis, reappoints Ronald Covington to the Equal Opportunity Advisory Board. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Simpson moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 280 and 281, 2016 were adopted on the following roll call vote; viz:

*25 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson*  
*0 NAYS:*

Proposal No. 280, 2016 was retitled COUNCIL RESOLUTION NO. 94, 2016, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 94, 2016

A COUNCIL RESOLUTION reappointing Sue Tempero to the Equal Opportunity Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council reappoints:

Sue Tempero

SECTION 2. The appointment made by this resolution is for a term ending June 30, 2019. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 281, 2016 was retitled COUNCIL RESOLUTION NO. 95, 2016, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 95, 2016

A COUNCIL RESOLUTION reappointing Ronald Covington to the Equal Opportunity Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Equal Opportunity Advisory Board, the Council reappoints:

Ronald Covington

SECTION 2. The appointment made by this resolution is for a term ending June 30, 2019. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 308, 2016. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Federal Express Corporation, an applicant for tax abatement for property located in an economic revitalization area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 309, 2016. Introduced by Councillors Lewis and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Tommie Jones to the Indianapolis Public Transportation Corporation Board of Directors"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 310, 2016. Introduced by Councillors Lewis, Gray and Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Gregory Hahn to the Indianapolis Public Transportation Corporation Board of Directors"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 311, 2016. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis Airport Authority and establishes appropriations for said municipal corporation for 2017"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 312, 2016. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets

and tax levies of the Capital Improvement Board of Managers and establishes appropriations for said municipal corporation for 2017"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 313, 2016. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Health and Hospital Corporation and establishes appropriations for said municipal corporation for 2017"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 314, 2016. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis Public Transportation Corporation (IndyGo) and establishes appropriations for said municipal corporation for 2017"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 315, 2016. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis-Marion County Public Library and establishes appropriations for said municipal corporation for 2017"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 316, 2016. Introduced by Councillors Lewis and Oliver. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Rohun Rangnekar to the Indianapolis Greenways Development Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 317, 2016. Introduced by Councillors Robinson and Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Elizabeth Filipow to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 318, 2016. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Denise Abdul-Rahman to the Air Pollution Control Board"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 319, 2016. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes weight limit restrictions on Brookside and Arsenal Avenues (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 320, 2016. Introduced by Councillor Cordi. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls on Cole Wood Boulevard (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 321, 2016. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls on Miley Avenue, Saint Clair Street, Bellevue Place and Walnut Street (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 322, 2016. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Oriental and St. Clair Streets (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 323, 2016. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Wilkins Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 324, 2016. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the deletion of parking restrictions on Delaware Street (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 325, 2016. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Minnesota and Union Streets (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 326, 2016. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Chesapeake Street and Alley 150 W (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 327, 2016. Introduced by Councillor Sandlin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Hanover Drive and Villa Avenue (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 328, 2016. Introduced by Councillor Sandlin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Chamberlin and Byrd Drives (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 329, 2016. Introduced by Councillor Holliday. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls in the Harvard Green at Camby Village subdivision (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 330, 2016. Introduced by Councillor Scales. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction in the Devonshire neighborhood (District 3)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 331, 2016. Introduced by Councillor Kreider. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at Hill Valley Drive and Lockwood Lane (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 332, 2016. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes turn restrictions at Central

Avenue and 16th Street (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 333, 2016. Introduced by Councillor Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes weight limit restrictions on Lambert and Howard Streets (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 334, 2016. Introduced by Councillors Adamson and Cordi. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Sec. 441-324 of the Code regarding school zones"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 335, 2016. Introduced by Councillors Pfisterer and Lewis. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which adds a new section to the Code establishing the space allocation committee"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 341, 2016. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code regarding the criteria for designated memorial areas"; and the President referred it to the Rules and Public Policy Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 336-340, 2016. Introduced by Councillor Osili. Proposal Nos. 336-340, 2016 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on September 1, 2016. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 73-77, 2016, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 73, 2016.

2016-ZON-029

521 AND 523 EASTERN AVENUE (APPROXIMATE ADDRESS)

CENTER TOWNSHIP, CD #17

ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES,

INC., by Paul J. Carroll

Rezoning of 0.36 acre, from the D-5 District to the SU-1 classification to provide for religious uses, specifically an area for a playground / greenspace.

REZONING ORDINANCE NO. 74, 2016.

2016-ZON-035

1660, 1702, 1706, 1710, 1714 AND 1718 BELLEFONTAINE STREET AND 902 EAST 17<sup>TH</sup> STREET

CENTER TOWNSHIP, CD #17

KARA B. HIESER

Rezoning of 0.95 acre from the D-8 District to the MU-2 classification.

REZONING ORDINANCE NO. 75, 2016.

2016-ZON-041

6910 WATERFRONT DRIVE

WAYNE TOWNSHIP, CD #6

SELF STORAGE LOCKERS INC., by Russell L. Brown

Rezoning of 6.82 acres from the D-P (FF) (W-5) district to the D-P (FF) (W-5) classification to permit self-storage facilities as a permitted use on Parcel B11 of 73-Z-81, as amended.

REZONING ORDINANCE NO. 76, 2016.

2016-ZON-043

1115 EAST 10TH STREET, 985 DORMAN STREET, AND 974 AND 978 STILLWELL STREET  
CENTER TOWNSHIP, CD #17

Rezoning of 0.51 acre from I-3, MU-1 and D-8 districts to the MU-2 classification.

REZONING ORDINANCE NO. 77, 2016.

2016-CZN-816

1427, 1431, 1433, 1437 AND 1443 EAST PROSPECT STREET AND 1116 SPRUCE STREET  
CENTER TOWNSHIP, CD #21

JACKSON DEVELOPMENT, LLC, by Rex Ramage

Rezoning of 1.28 acres from the C-4 district to the MU-2 classification to provide for a mixed-use district.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 282, 2016. Councillor Simpson reported that the Administration and Finance Committee heard Proposal No. 282, 2016 on August 23, 2016. The proposal, sponsored by Councillor Simpson, approves an additional appropriation of \$185,000 in the 2016 Budget of the Information Services Agency (Enhanced Access Fund) to cover the cost of building a Reference World Information and Simulation Environment (R-WISE) model. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:24 p.m.

Larry Vaughn, citizen, said that he was outside this evening downtown and there was a line of folks with ankle bracelets on Delaware Street. He said that this is ridiculous, and the arbitrary laws the Council continues to pass are just causing more and more arrests, and this is what this is all about. President Lewis asked Mr. Vaughn to keep his remarks germane to Proposal No. 282, 2016. Mr. Vaughn said that they are paying \$185,000 for a system from outside of the City when they already have all the data they need compiled within the city.

Councillor Robinson asked for consent to abstain from voting on this proposal, as his employer is also considering using a similar tool from Purdue. Consent was given.

Councillor Simpson moved, seconded by Councillor Adamson, for adoption. Proposal No. 282, 2016 was adopted on the following roll call vote; viz:

*23 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Sandlin, Scales, Simpson*

*1 NAY: Freeman*

*1 NOT VOTING: Robinson*

Proposal No. 282, 2016 was retitled FISCAL ORDINANCE NO. 20, 2016, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 20, 2016**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2016 (City-County Fiscal Ordinance No. 36, 2015) by adding a total of \$185000 for purposes of the Marion County Information Service Agency.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2016 is hereby amended by the increases and decreases hereinafter stated for purposes of the Marion County Information Service Agency.

SECTION 2. The **Marion County Information Service Agency** requests an additional \$185,000 in Character 03 of the Enhanced Access Fund to cover the cost of building a Reference World Information and Simulation Environment model, R-WISE.

| <b><u>FUND</u></b>   | <b><u>CHAR 1</u></b> | <b><u>CHAR 2</u></b> | <b><u>CHAR 3</u></b> | <b><u>CHAR 4</u></b> | <b><u>TOTAL</u></b> |
|----------------------|----------------------|----------------------|----------------------|----------------------|---------------------|
| Enhanced Access Fund |                      |                      | 185,000              |                      | 185,000             |

SECTION 3. Upon approval of this, and other pending approvals, the 2016 year end and projected 2017 year end fund balances are as follows:

|                      | Projected 2016 year-end balance | Projected 2017 year-end balance |
|----------------------|---------------------------------|---------------------------------|
| Enhanced Access Fund | 703,140                         | 945,360                         |

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 285, 2016. Councillor Osili reported that the Metropolitan and Economic Development Committee heard Proposal No. 285, 2016 on August 29, 2016. The proposal, sponsored by Councillors Osili and Miller, approves the issuance of special taxing district refunding bonds in an amount not to exceed \$58 million to provide advance refunding of the 2008 Bonds and issuance of new bonds (including funding a reserve), for the J.W. Marriott hotel project and related infrastructure, public spaces and other local public improvements, in order to realize substantial savings. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Pfisterer asked when the new bond will be paid off. Sarah Riordan, director of the Indianapolis Municipal Bond Bank, stated that the current bond is callable in 2018, and they will borrow money to refund that bond in 2018, and it will be paid off the same time as the originally issued bond, 2028.

The President called for public testimony at 7:28 p.m.

Mr. Vaughn said that this program has cost this city over \$300 million and left them open to lawsuits. He said that J.W. Marriott has plenty of money, but are coming and asking the City to give them more. He said that this is the same thing that happened to Detroit, with colored people in charge bringing in defacto corporations that will never pay off their debt. He said that the Council needs to stop this practice now.

Councillor Osili moved, seconded by Councillor Adamson, for adoption. Proposal No. 285, 2016 was adopted on the following roll call vote; viz:

25 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson  
0 NAYS:

Proposal No. 285, 2016 was retitled GENERAL RESOLUTION NO. 8, 2016, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2016

A GENERAL RESOLUTION approving the issuance of special taxing district refunding bonds of the Redevelopment District of the City of Indianapolis, Indiana (the "Redevelopment District"), in one or more series, and other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District, has previously issued the "City of Indianapolis Redevelopment District Bonds, Series 2008" (the "2008 Bonds"), dated May 8, 2008, in the original aggregate principal amount of \$59,450,000, now outstanding in the aggregate principal amount of \$52,485,000, to provide funds for (i) a portion of the cost of the development, construction and equipping of the J.W. Marriott hotel and related infrastructure, public spaces and other local public improvements in or serving the Consolidated Redevelopment Allocation Area, (ii) capitalized interest, (iii) a debt service reserve surety and (iv) costs of selling and issuing the 2008 Bonds; and

WHEREAS, the 2008 Bonds are payable from a special tax (the "Special Tax") levied and collected upon all of the taxable property in the Redevelopment District pursuant to Indiana Code 36-7-15.1-19 to the extent other revenues of the Commission are not sufficient for such purpose; and

WHEREAS, the Commission now desires to issue bonds of the Redevelopment District to refund the 2008 Bonds to realize a substantial savings in accordance with Indiana Code 5-1-5, as amended; and

WHEREAS, on August 17, 2016, the Commission adopted a bond resolution (the "Bond Resolution") authorizing the issuance of special taxing district refunding bonds of the Redevelopment District to be designated as "City of Indianapolis Redevelopment District Refunding Bonds, Series 2016", in the total principal amount not to exceed \$58,000,000 (the "Bonds") for the purpose of providing funds for the payment of the costs of (i) advance refunding the 2008 Bonds and (ii) issuing the Bonds, including funding a reserve for the Bonds, if necessary; and

WHEREAS, pursuant to the Bond Resolution, the Bonds will be payable from a Special Tax levied and collected upon all taxable property in the Redevelopment District, to the extent other revenues of the Commission are not sufficient for such purpose; and

WHEREAS, Indiana Code 36-3-5-8 requires the City-County Council of Indianapolis and Marion County (the "Council") to approve by resolution the issuance of bonds by any special taxing district of the City, including the Redevelopment District; and

WHEREAS, Indiana Code 5-1.4 provides that a "qualified entity," which term includes the Redevelopment District, may issue and sell its bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale, subject to approval by the Board of Directors of the Bond Bank, with proceeds of bonds to be issued by the Bond Bank (the "Bond Bank Bonds") pursuant to the provisions of Indiana Code 5-1.4 which Bond Bank Bonds may be supported by a debt service reserve fund; and

WHEREAS, the Executive Director of the Bond Bank has further indicated that although the Bond Bank Bonds may be supported by a debt service reserve fund, it will not be necessary for the sale of the Bond Bank Bonds to be supported by the provisions of Indiana Code 5-1.4-5-4 relating to annual appropriations which could be made by the Council to replenish the debt service reserve fund (the "Moral Obligation"); and

WHEREAS, the Commission has requested the review and approval of the Council for the issuance of the Bonds pursuant to Indiana Code 36-3-5-8, and the Council now finds that the issuance of the Bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council does hereby approve (i) the Bond Resolution; (ii) the issuance of the Bonds of the Redevelopment District, in one or more series, with a final maturity not later than February 1, 2038 and in an original aggregate principal amount not to exceed \$58,000,000, payable from a Special Tax levied upon all of the taxable property in the Redevelopment District, as provided by Indiana Code 36-7-15.1-19, to the extent other revenues of the Commission are not sufficient for such purpose; and (iii) the use of the proceeds of the Bonds for the advance

refunding of the 2008 Bonds and costs of issuance of the Bonds, including funding a reserve for the Bonds, if necessary.

SECTION 2. The Council hereby acknowledges that the Bond Bank Bonds, to the extent they may be supported by a debt service reserve fund, will not need to be supported by the Moral Obligation and the Council, accordingly, will not appropriate funds to replenish deficiencies in the debt service reserve fund for the Bond Bank Bonds, if any.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 273, 2016. Councillor Adamson reported that the Public Works Committee heard Proposal No. 273, 2016 on August 25, 2016. The proposal, sponsored by Councillor Osili, authorizes angled parking along the west side of Senate Avenue between Michigan Street and Indiana Avenue (District 11). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Osili, for adoption. Proposal No. 273, 2016 was adopted on the following roll call vote; viz:

*25 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson*  
*0 NAYS:*

Proposal No. 273, 2016 was retitled GENERAL ORDINANCE NO. 47, 2016, and reads as follows:

#### **CITY-COUNTY GENERAL ORDINANCE NO. 47, 2016**

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 621, Parking, standing and stopping restricted.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-108 (d), Manner of parking, be, and the same is hereby amended by the addition of the following, to wit:

*Senate Avenue, on the west side, from Michigan Street to Indiana Avenue;*

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 283, 2016. Councillor Simpson reported that the Administration and Finance Committee heard Proposal No. 283, 2016 on August 30, 2016. The proposal, sponsored by Councillor Lewis, expresses the intent of the Consolidated City and County to issue bonds in an amount not to exceed \$75 million to reimburse prior expenditures of various City departments

and County agencies with bond proceeds. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Chair Simpson asked Ms. Riordan and City Controller, Fady Qaddoura, to briefly explain the intent of the proposal. Ms. Riordan said that this proposal does not issue bonds, but that is something they hope to bring back to the Council to issue bonds before the end of the year. This proposal is simply asking the Council to approve reimbursement of expenses on certain approved projects if these bonds are eventually approved for issuance. Mr. Qaddoura said that they are proposing a viable option for the budget to remove certain capital expenditures from the operating budget. He said that they will introduce another proposal with the actual bond issuance and projects detailed, and this proposal simply authorizes reimbursement if the bonds are ultimately approved by the Council. Bart Brown, Chief Financial Officer (CFO) for the Council, stated that these reimbursements are for expenses already approved through the budget process and are not for any projects not already in the budget. He said that they are simply reimbursements for projects such as the E-911 system, which is already in the Sheriff's budget.

Councillor Freeman said that this makes absolutely no sense. He asked why they are considering bonding for funding for projects that have already been approved. He said that this is not all already approved spending. The Controller told him that the Indianapolis Fire Department (IFD) was getting \$7 million more to build two new fire stations. Yet, they are closing two fire stations that are already paid for to build new ones, and these expenses are not already approved. The Mayor likes to tout a balanced budget spending less money than last year, but they really cannot say that they are spending less money or being fiscally prudent, when they are bonding \$75 million in order to be able to sustain this lowered budget. He said that the City should not be in the business of bonding. He said if they need to bond to fund specific projects that are desperately needed, such as the CAD (computer aided dispatch) system, then they should come to the Council, show them the need and the justification, and ask for approval. He said that this is giving the administration a blank check, and he cannot support the proposal.

Councillor Miller said that he watched the committee meeting and was planning to support the proposal, but he has some real concerns about the wording "official intent" in the proposal. This is more than just saying they are okay with reimbursements should they choose to issue bonds. He agrees they should be proactive and smart, and the reimbursement makes sense, but he does not know why this wording is included. He said that if he agrees to "officially declare his intent" to issue bonds, and then later finds out, once the details are provided, that he does not like the idea of bonding for these particular projects, he feels he cannot go against the "official intent." He said that he would be able to support the proposal to allow for greater flexibility in reimbursements if they could change that language. But with that language, he cannot support it. Before saying he intends to do something he would like all information up front, and a one-page description of possible projects is not enough information, and he feels strong-armed. He said that he understands they may deal with the public works projects separately, and he does not object to that, but these are still a part of the budget, as \$20 million worth of projects are needed.

Fred Biesecker, General Counsel, said that this is not binding, and the proposal is phrased that way because that is the way the Internal Revenue Service regulations are phrased. He said that this proposal does not endorse or pre-approve the bonds in anyway; it simply says if and when the bonds are passed, it is permissible to go back 60 days from today to reimburse such capital expenditures as the voting machines, which have already been approved for payment.

Ms. Riordan said that this is not binding and it cannot be enforced, but simply sets it up so that ongoing expenditures can be reimbursed if and when the Council decides to issue bonds, in order

to take pressure off budgets next year. She said that many of the projects will have to be paid for anyway, but if they choose not to issue bonds, the expenditures will be paid out of operating budgets and they do not have as much flexibility. Tenley Drescher-Rhodes, bond counsel, stated that they are simply complying with Treasury regulations. In order to issue bonds, they will have to come back before the Council with at least two, if not three, different resolutions and ordinances, which will involve a lengthy process with several meetings and public hearings, stretching into November in a best-case scenario. If this is passed this evening, and bonds are not issued, then this proposal has no effect.

Councillor Gray said that all administrations and Council members have an opinion of how best to do things, but this is a good deal for the city, as they are not creating any new debt. He encouraged his colleagues to support the proposal and move forward with a flexible reimbursement plan.

Councillor Coats said that he cannot support this proposal, specifically because of the inclusion of \$20 million bonding for public works projects. He said that the City received an additional distribution from the State of \$52 million, \$39 million of which must be used for roads. In talking to various legislators, he has no reason to believe they will back off the requirement that this \$39 million must be used for roads.

Councillor Gray said that they are talking about two different things and this has nothing to do with the \$39 million distribution.

Chair Simpson encouraged his colleagues to read the minutes of the meeting, as there are eight pages dedicated to this proposal. He said that the committee did a good job in thoroughly vetting this proposal and asking tough questions, and they did not short-change this Council.

Councillor Sandlin said that he cannot support this proposal. He said that this proposed bond issuance is for \$75 million, with an approximate 15-year bond life, as relayed in testimony at the committee hearing. He said that the one-page document given to Councillors regarding what this bond would fund includes the CAD system, which will cost \$5 million for a system with a 10-year life span. He said that the voting machines are on the list, and they have already been financed and approved, but there is \$3.4 million on this list for equipment with a 10-year life. He said that he is not sure any technology equipment has a 10-year life expectancy anymore. He said that there is \$5.3 million for police vehicles and \$3 million for fire apparatus. He said that the proposed aerial truck is suggested to have a five-year life, but most have a 10-year life. He said that he finds this list to be inaccurate, and they are talking about bonding for 15 years for things that will not even last the length of the bonds. He said that they cannot pay bills today using future dollars that outlast viable assets. He said he knows the City is in a tight financial situation, and this is an attempt to be creative in solving some of those financial woes, but he cannot support this solution.

Councillor Evans said that he will support this proposal this evening, but wants to go on record, that as it has been presented today, he will be voting no on the issuance of bonds for roads projects when they have \$39 million already available to them for those projects.

Councillor Miller said that the committee did do a great job vetting this proposal, but he is not a lawyer, and his constituents will not understand this kind of commitment, even if the IRS does ask for that specific language. He said that something this important should go to all Council members and not just one committee.

Councillor Clay asked if he is correct in his understanding that this only provides a provision for reimbursement and in no way binds the Council to issue bonds. He asked if the City will come back later and drill further down on particulars. Mr. Brown said that this is correct. He said that this is not a fiscal ordinance and does not authorize the spending of any money. He added that the term is not necessarily 15 years, and the Council will see separate bond issuances, and the term life will depend on the life of the assets. Councillor Clay asked if when this comes back in the form of a fiscal ordinance, if it will go through the normal committee process. Mr. Brown said that it will, and that it can be amended, if the Council so wishes, throughout that process.

Councillor Coats said that he is fully aware that this proposal is not about the \$39 million in the Rainy Day Fund, but it makes no sense to borrow \$20 million, which is proposed by this bond issuance plan, for road infrastructure when they have \$39 in the bank ready to go dedicated for that purpose. He said that it makes no sense.

Councillor Jackson said that this does not authorize the Council or the departments to spend money, and she supports it, as it will free up operating monies. She said most corporations spread capital improvement projects out over several years and do not include them in their operating budgets. She said that she agrees it would have been nice to have more details on the projects, but if they do not approve this, they cannot reimburse monies for some much-needed projects. She said if ultimately the Council does not agree with the bond issuance plan, they can scratch this whole thing.

Councillor Pfisterer said that the plan proposes bonding \$20 million for roads. She does not understand why they would be willing to pay a debt service, when they already have money in hand that could be spent without paying interest. She asked how much interest would be paid on this \$75 million bond over its lifetime. Ms. Riordan said that it would be difficult to precisely calculate. She said that there is favorable borrowing right now, and it would depend on the principal amount. Interest rates now are between 2 and 3%, but there are too many variables to predict exactly, as the bonds could be structured in many different ways, such as paying more up-front or at the end. Councillor Pfisterer asked if issuing the bonds piece-meal for these projects would increase the issuance costs. Ms. Riordan said that it would. Councillor Pfisterer said that from her experience, the interest usually equates to the original amount of the bonds. She said that this is like her daughter asking to borrow \$1,000, but she does not know if she is going to spend it at Tiffany's or at Walmart.

Councillor Freeman said that he appreciates the need to come up with new ideas, but this is wrong. He said that giving agencies the ability to spend money and tell them they will take care of them later is not good practice. He said that some of these agencies have already spent the money. He said that this reminds him of legislation back in February or March when they were told they must pass the flood insurance proposal or citizens would lose their flood insurance. He said that he does not want a gun pointed to his head making a decision down the road. They are giving them the ability to spend money, and they will come back and say the Council told them of their intent to reimburse them back in September, and then the Council will have to come up with the money to pay the bill. That is why he opposes the proposal.

Councillor McHenry said that no one buys a car or house and then goes to the bank and asks them to give them the money to pay for it after the fact. She said that the State already gave the City money for roads, and she feels they could give some range of expected interest to be paid on these bonds.

Councillor McQuillen said that what they are considering with this proposal is disgraceful. The Mayor has been touting unprecedented budget savings, but nothing has really been cut. Now that they see the full picture, the Mayor wants to spend an additional \$75 million off the books in the form of issuing debt. Ninety minutes ago, members were given one sheet of paper with a thumbnail sketch of how these bond proceeds will be spent. One of those items is road infrastructure. There is over \$50 million in additional distribution from the State, with \$39 million specifically earmarked for road infrastructure. It would be fiscally irresponsible for them to mortgage their children's future when they have the money in the bank. He urged his colleagues to oppose the proposal.

Councillor Gray said that for four years the Republicans spent money like water, and they still do not know how much was spent or where it all went.

Councillor Mascari agreed and said that this is about transparency, and the Council had no say in money spent on BlueIndy or a Cricket field. He said that he supports the proposal.

Councillor Kreider said that this is not about past administrations, because if it were, they are still paying on a \$100 million debt from former Mayor Bart Peterson's administration. It is best to look forward, and it is not wise to take out bonds in this amount for something they already have money for.

Councillor Adamson asked his colleagues to tread lightly on this new show of fiscal conservatism by the Republicans, when it was absent the last four years. He said that this bond issuance will come back in multiple proposals, and Councillors will get the opportunity to vote on each priority as they see fit.

Councillor Gray moved, seconded by Councillor Simpson, to call the question and end debate. Debate was ended on the following roll call vote; viz:

*21 YEAS: Adamson, Clay, Coats, Cordi, Evans, Fanning, Freeman, Gray, Jackson, Johnson, Kreider, Lewis, Mascari, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Simpson*  
*4 NAYS: Holliday, McHenry, Sandlin, Scales*

Councillor Simpson moved, seconded by Councillor Jackson, for adoption. Proposal No. 283, 2016 was adopted on the following roll call vote; viz:

*13 YEAS: Adamson, Clay, Evans, Gray, Jackson, Johnson, Lewis, Mascari, Oliver, Osili, Ray, Robinson, Simpson*  
*12 NAYS: Coats, Cordi, Fanning, Freeman, Holliday, Kreider, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Scales*

Proposal No. 283, 2016 was retitled GENERAL RESOLUTION NO. 9, 2016, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 9, 2016

A GENERAL RESOLUTION expressing the intent of the City of Indianapolis, Indiana and Marion County, Indiana to reimburse prior expenditures with bond proceeds.

WHEREAS, the City of Indianapolis, Indiana, Marion County, Indiana and related and/or subordinate entities, departments, and special taxing districts (collectively, the "Consolidated City") intend to cause to be issued certain general obligation bonds or special taxing district bonds in one or more series or issues, in an original aggregate principal amount not expected to exceed Seventy-Five Million Dollars (\$75,000,000) (the "Bonds"), for the purpose of procuring funds to pay all or a portion of the costs of any or all of the following: (i) the purchase or lease of a computer

aided dispatch system; (ii) the purchase or lease of voting machines; (iii) the purchase or lease of police and fire public safety vehicles and equipment; (iv) the purchase or lease of certain emergency communications systems and equipment; (v) the construction of one or more fire stations; (vi) the acquisition, construction, installation and equipping of certain mechanical fixtures and equipment necessary for the operation of the City-County Building, (vii) the lease or purchase of certain public works vehicles and equipment; (viii) the planning, design, installation, equipping and construction of certain sidewalk and road improvements; and (ix) the design, construction, equipping and installation of certain improvements to parks located within the Consolidated City (collectively, the "Project"), including, without limitation, all expenses necessarily incurred in connection with the proceedings, all expenses of every kind actually incurred preliminary to the acquisition of the property, equipment and systems and the construction of the Project, such as costs of professional fees, necessary records, architecture and engineering expenses, publication of notices, and other expenses and the costs of land, right-of-way and other property, equipment and systems to be acquired for the Project (the "Expenditures").

WHEREAS, the Consolidated City reasonably expects to pay for certain of the Expenditures prior to the issuance of the Bonds, and to reimburse the Expenditures (or cause the Expenditures to be reimbursed) with proceeds of the Bonds; and

WHEREAS, this City-County Council of Indianapolis, Indiana and of Marion County, Indiana (the "City-County Council") desires to declare its intent to reimburse the Expenditures (or cause the Expenditures to be reimbursed) pursuant to and in compliance with Indiana Code 5-1-14-6(c) and Section 1.150-2 of the U.S. Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"); now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby declares its official intent to issue, and/or cause to be issued by one or more entities, departments or districts of the Consolidated City, the Bonds in one or more series or issues in a combined original aggregate principal amount not expected to exceed Seventy-Five Million Dollars (\$75,000,000) and to reimburse or cause to be reimbursed costs of the Project consisting of the Expenditures from the Bonds.

SECTION 2. This Resolution constitutes a declaration of an official intent to reimburse from the proceeds of bonds under Indiana Code 5-1-14-6(c) and Section 1.150-2 of the Treasury Regulations.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 286, 2016. Councillor Osili reported that the Metropolitan and Economic Development Committee heard Proposal No. 286, 2016 on August 29, 2016. The proposal, sponsored by Councillors Osili, Adamson, McQuillen, Fanning, Johnson, Miller and Kreider, confirms the designation of certain real property as a high technology district area and that qualified property owned by salesforce.com, Inc. is exempt from property taxation. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Coats asked for consent to abstain from voting due to his employment at salesforce.com, Inc. Consent was given.

Councillor Osili moved, seconded by Councillor Adamson, for adoption. Proposal No. 286, 2016 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Cordi, Evans, Fanning, Freeman, Gray, Holliday, Jackson, Johnson, Kreider, Lewis, Mascari, McHenry, McQuillen, Miller, Oliver, Osili, Pfisterer, Ray, Robinson, Sandlin, Scales, Simpson  
0 NAYS:  
2 NOT VOTING: Clay, Coats

Proposal No. 286, 2016 was retitled GENERAL RESOLUTION NO. 10, 2016, and reads as follows:

September 12, 2016

CITY-COUNTY GENERAL RESOLUTION NO. 10, 2016

PROPOSAL FOR A GENERAL RESOLUTION to confirm the designation of certain real property as a high technology district area and that qualified property owned by salesforce.com, Inc. (the "Applicant") is exempt from property taxation, pursuant to IC § 6-1.1-10-44.

WHEREAS, IC § 6-1.1-10-44 (the "Act") allows an exemption of property taxes attributable to the installation of enterprise information technology equipment which is purchased after June 30, 2012 (the "Qualified Property") by an eligible business; and

WHEREAS, the City of Indianapolis, Indiana (the "City") is a municipality located in the State of Indiana and the Act empowers the City-County Council of the Consolidated City of Indianapolis and Marion County (the "City-County Council") acting as the fiscal body and designating body of the City pursuant to the Act to designate an area located within the City's corporate boundaries as a high technology district area ("High Technology District Area") thereby allowing the City-County Council to specify that certain Qualified Property is exempt from property taxation and to determine the length of the exemption period for such Qualified Property by following a procedure involving adoption of a declaratory resolution, provision of public notice, conducting a public hearing, entering into an agreement between the City-County Council and the eligible business concerning the property tax exemption, and adoption of a final resolution confirming, modifying or rescinding the declaratory resolution; and

WHEREAS, the Applicant has submitted information to the City evidencing that the Applicant is an eligible business, as defined in the Act, and that the equipment the Applicant intends to purchase and install on certain real estate located within the corporate boundaries of the City (the "Applicant's Qualified Property Sites"), as shown and described on Exhibit A, attached hereto, is enterprise information technology equipment for use by the Applicant in its facilities located within the corporate boundaries of the City and therefore qualifies as qualified property, as defined in the Act ("Qualified Property"); and

WHEREAS, the Applicant has requested that the City-County Council take, or cause to be taken, all actions necessary pursuant to the Act to exempt the Qualified Property from property taxation; and

WHEREAS, the City-County Council adopted General Resolution No. \_\_\_\_\_, 2016 (Proposal No. 266, 2016) (the "Declaratory Resolution") on August 15, 2016, pursuant to the Act, provisionally designating the Applicant's Qualified Property Sites as a High Technology District Area and specifying that certain enterprise information technology equipment, more particularly described in Exhibit B (the "Applicant's Qualified Property"), attached hereto, that the Applicant intends to purchase and install on Applicant's Qualified Property Sites, which are located in an area eligible for designation as a High Technology District Area, is exempt from property taxation for an exemption period of ten (10) years; and

WHEREAS, the City-County Council has caused to be published a notice (the "Notice") pursuant to the Act and IC Chapter 5-3-1 stating the adoption and substance of the Declaratory Resolution, including notice that the City-County Council would hold a public hearing in accordance with the Act on August 29, 2016; and

WHEREAS, the City-County Council, in accordance with the Act, has caused to be filed a copy of the Notice and the Declaratory Resolution with the Marion County Assessor, each taxing unit in Marion County and the officers of each taxing unit which is authorized to fix budgets, tax rates, and tax levies under IC § 6-1.1-17-5 in the City at least ten (10) days prior to the date of the public hearing; and

WHEREAS, at the public hearing held on the date hereof (the "Public Hearing"), the City-County Council received, heard and considered any remonstrances and objections from interested persons and heard evidence concerning the proposed exemption of the Applicant's Qualified Property; and

WHEREAS, after considering the evidence presented at the Public Hearing, the City-County Council desires to take final action designating the Applicant's Qualified Property Sites as a High Technology District Area and determining that Qualified Property owned by Applicant shall be exempt from taxation for a period of ten (10) years; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council finds that the Applicant:

- (1) Is an entity engaged in a business that operates one (1) or more facilities dedicated to computing, networking, or data storage activities;

- (2) Intends to purchase and install Qualified Property that will be located in a facility or data center in Indiana that is designated as a High Technology District Area;
- (3) Intends to invest in the aggregate at least ten million dollars (\$10,000,000) in real and personal property at the facility or data center after June 30, 2012; and
- (4) Has an average employee wage of at least one hundred twenty-five percent (125%) of the county average for the county in which the facility or data center operates;

and therefore is an "eligible business" as defined in the Act.

SECTION 2. The City-County Council finds that the equipment the Applicant intends to install on the Applicant's Qualified Property Sites consists of:

- (1) Hardware supporting computing, networking, or data storage function, including servers and routers; or
- (2) Networking systems having an industry designation as equipment within the "enterprise" or "data center" class of networking systems that support the computing, networking, or data storage functions; or
- (3) Generators and other equipment used to insure an uninterrupted power supply to equipment described in (1) and (2);

and therefore is "enterprise information technology equipment" as defined in the Act. Such equipment does not consist of computer hardware designed for single user, workstation, or departmental level use.

SECTION 3. The "enterprise information technology equipment" is being purchased after June 30, 2012 by the Applicant and therefore is "qualified property" as defined in the Act.

SECTION 4. The form of Memorandum of Agreement (the "Memorandum of Agreement") between the City-County Council and Applicant, attached hereto as Exhibit C and made a part hereof, is hereby approved and the President of the City-County Council is hereby authorized and directed to execute the Memorandum of Agreement on behalf of the City-County Council. The President of the City-County Council is hereby authorized to approve changes therein consistent with the intent of this resolution without further approval of this City-County Council, approval of such changes being conclusively approved by the execution of the Memorandum of Agreement by the President of the City-County Council.

SECTION 5. General Resolution No. \_\_\_\_\_, 2016 (Proposal No. 266, 2016), adopted by the City-County Council on August 15, 2016, is hereby confirmed. The Applicant's Qualified Property is exempt from property taxation for an exemption period of ten (10) years, provided, however, the effectiveness of this exemption may be terminated by this City-County Council in accordance with the terms of the Memorandum of Agreement.

SECTION 6. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Holliday and McQuillen in memory of Bernard J. "Bud" Gohmann, Jr.; and
- (2) Councillors Johnson and Adamson in memory of Meaghan Lanane; and
- (3) Councillors Pfisterer and McHenry in memory of Lucinda Hilmer; and
- (4) Councillor Adamson in memory of Ed D'Amour, Sister Marilyn Therese Lipps and Mildred Hinkle; and
- (5) Councillor Lewis in memory of Kevin D. Jackson; and

September 12, 2016

- (6) Councillor McQuillen in memory of Richard L. "Dick" Tewksbury and Laurie Wildey;
- (7) Councillor Pfisterer in memory of Edward N. Johnson, Richard Burnicle and Bob McFarling; and
- (8) Councillors Coats and McQuillen in memory of Devon J. Cissell.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Bernard J. "Bud" Gohmann, Jr., Meghan Lanane, Lucinda Hilmer, Ed D'Amour, Sister Marilyn Therese Lipps, Mildred Hinkle, Kevin D. Jackson, Richard L. "Dick" Tewksbury, Laurie Wildey, Edward N. Johnson, Richard Burnicle, Bob McFarling, and Devon J. Cissell. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:15 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of September, 2016.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

  
President

ATTEST:

  
Clerk of the Council

(SEAL)